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Attorney for plaintiff Gregory Bender

6 Attorneys for Defendant Nokia Inc.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 Gregory Bender,

12 Plaintiff,

13 v.

14 Nokia Inc.,

15 Defendant.
16

Case No. C09-01247 (MMC)

**STIPULATED REQUEST AND
~~PROPOSED~~ ORDER REGARDING
RESCHEDULING OF INITIAL CASE
MANAGEMENT CONFERENCE**

17 Pursuant to Civil L.R. 6-1(b) and 6-2, the parties in the above-captioned action through
18 their respective counsel hereby submit this stipulated request that the Court reschedule the initial
19 Case Management Conference, currently scheduled for December 4, 2009 at 10:30 a.m., for
20 December 11, 2009 at 10:30 a.m., or as soon thereafter as the Court's schedule may allow.

21 WHEREAS, pursuant to the October 2, 2009, docket entry in the above-titled action, the
22 Initial Case Management Conference in this action is currently scheduled for December 4, 2009,
23 at 10:30 a.m. in the San Francisco Division of the Northern District of California.

24 WHEREAS, hearings on two motions to dismiss are scheduled to be heard on the same
25 day, December 4, 2009, at 9:00 a.m. in the San Jose Division of the Northern District of
26 California in *Bender v. LG Electronics U.S.A., Inc. et al*, C.A. No. 09-02114-JF, a case in this
27 district involving the same plaintiff alleging infringement of the same patent as in the current case
28 against different defendants. The Plaintiff in both lawsuits is represented by the same counsel,

STIPULATED REQUEST REGARDING RESCHEDULING
OF INITIAL CASE MANAGEMENT CONFERENCE
CASE NO. 09-cv-01247 (MMC)

1 one of the moving parties in the *Bender v. LG* case is represented by counsel for the Defendant in
2 the present action, and the other moving party in the *Bender v. LG* case is represented by
3 unrelated counsel.

4 WHEREAS, the parties believe that in the interests of efficiency and of avoiding possible
5 conflict, the Initial Case Management Conference should be continued in favor of the hearing in
6 *Bender v. LG*, which involves the greater number of parties than the Case Management
7 Conference in the current action.

8
9 THE PARTIES HEREBY SUBMIT THE STIPULATED REQUEST THAT:

10 The Initial Case Management Conference in this action be continued to December 11,
11 2009, at 10:30 a.m., or as soon thereafter as the Court's schedule may allow.

12
13 Respectfully submitted,

14 Dated: November 24, 2009

Jones Day

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16 By: /s/ Gregory Lippetz

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25 Counsel for Defendant Nokia Inc.

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27 In accordance with General Order No. 45, Section X(B), the above signatory attests that
28 concurrence in the filing of this document has been obtained from the signatory below.

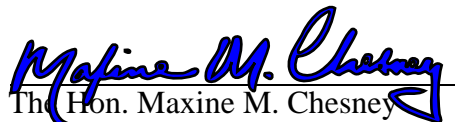
1 Dated: November 24, 2009

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Counsel for Plaintiff Gregory Bender

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8 **PURSUANT TO STIPULATION, IT IS SO ORDERED:** The Case Management Conference
9 is hereby CONTINUED to December 11, 2009. The parties shall submit a Joint Case Management
10 Statement no later than December 4, 2009.

11 DATED: November 25, 2009

By: 
The Hon. Maxine M. Chesney
United States District Court Judge